

David J. Lujan, Esq.  
Lujan, Aguigui, and Perez, LLP  
DNA Bldg. Suite 300  
238 Archbishop Flores Street  
Hagatna, Guam 96910

Joey P. San Nicolas  
Attorney at Law  
SN Annex, Broadway Estates  
P.O. Box 571  
Tinian, MP 96952  
Tel./Fax No.: 670.433.5776  
E-mail: snlaw@pticom.com

Attorneys for Defendant Timothy P. Villagomez

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
TIMOTHY P. VILLAGOMEZ, et.al.,  
Defendants.

Criminal Case No. 08-00020

SECOND MOTION TO EXTEND  
DEADLINE TO FILE PRE-TRIAL  
MOTIONS

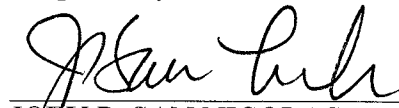
COMES NOW, Defendant Timothy P. Villagomez, by and through his attorney Joey P. San Nicolas, hereby requests this Court for an extension to file pre-trial motions in this matter to September 22, 2008 for the following reasons:

1. This motion is unopposed by the Plaintiff. *See Declaration of Joey P. San Nicolas.*

2. That the Pre-trial Motions deadline as to Defendant Timothy P. Villagomez is September 08, 2008.
3. That on August 27, 2008 undersigned counsel inquired with AUSA O'Malley as to whether Defense counsels would receive a written response to their August 14, 2008 written request for discovery materials. AUSA O'Malley advised undersigned counsel that there were additional discovery materials that would be given to counsels within a week and a half and that a written response will be provided to counsel at that time.
4. That because additional discovery will be provided to counsels after the September 8, 2008 motions deadline, undersigned counsel requests for an extension to file pre-trial motions to September 22, 2008.

Dated this 31<sup>st</sup> day of August, 2008.

Respectfully submitted,



JOEY P. SAN NICOLAS  
Attorney for Timothy P. Villagomez

1 **David J. Lujan, Esq.**  
2 **Lujan, Aguiqui, and Perez, LLP.**  
3 **DNA Bldg. Suite 300**  
4 **238 Archbishop Flores Street**  
5 **Hagatna, Guam 96910**

6 **Joey P. San Nicolas**  
7 **Attorney at Law**  
8 **SN Annex, Broadway Estates**  
9 **P.O. Box 571**  
10 **Tinian, MP 96952**  
11 **Tel./Fax No.: 670.433.5776**  
12 **E-mail: snlaw@pticom.com**

13 **Attorneys for Defendant Timothy P. Villagomez**

14 **IN THE UNITED STATES DISTRICT COURT**  
15 **FOR THE NORTHERN MARIANA ISLANDS**

16 **UNITED STATES OF AMERICA,**

17 **Plaintiff,**

18 **vs.**

19 **TIMOTHY P. VILLAGOMEZ, et.al.,**

20 **Defendants.**

21 **Criminal Case No. 08-00020**

22 **DECLARATION OF JOEY P. SAN**  
23 **NICOLAS IN SUPPORT OF MOTION TO**  
24 **EXTEND MOTION DEADLINE**

25 **DECLARATION**

I, JOEY P. SAN NICOLAS state the following:


1. I am over the age of 18, competent to testify to this declaration, have personal knowledge to this declaration and would testify competently if called to do so.
2. That on or about August 27, 2008, undersigned counsel spoke to Assistant United States Attorney Eric O'Malley and inquired whether his office would provide

*Declaration in Support of Motion to Extend Deadline to File Pre-Trial Motions*

1 additional discovery material and whether his office would provide written  
2 response to counsel's initial request for discovery materials.

- 3 3. That AUSA O'Malley informed undersigned counsel that additional discovery  
4 would be provided in a week and a half and that a written response will be  
5 provided at that later date.
- 6
- 7 4. That the deadline to file pre-trial motions as to Defendant Timothy P. Villagomez  
8 is September 08, 2008
- 9 5. That undersigned counsel asked AUSA O'Malley whether he would agree to  
10 extend the deadline for filing pre-trial motions to September 22, 2008 and AUSA  
11 O'Malley agreed to such extension.  
12

13 I DECLARE under penalty of perjury that the above declaration is true and correct and  
14 that this Declaration was executed on Tinian, Commonwealth of the Northern Mariana Islands  
15 on August 31, 2008.

16  
17   
18 JOEY P. SAN NICOLAS  
19 Attorney for Timothy P. Villagomez  
20  
21  
22  
23  
24  
25

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,	)	Criminal Case No. 08-00020
Plaintiff,	)	
vs.	)	
TIMOTHY P. VILLAGOMEZ, et.al.,	)	PROPOSED ORDER GRANTING
Defendants.	)	DEFENDANT'S MOTION TO EXTEND
	)	DEADLINE TO FILE PRE-TRIAL
	)	MOTIONS AS TO DEFENDANT
	)	TIMOTHY P. VILLAGOMEZ

IT IS ORDERED THAT Defendant Timothy P.Villagomez's motion to extend the  
deadline to file pretrial motions is hereby granted. Pre-trial motions shall be filed by no later than  
3:30 p.m. Monday, September 22, 2008.  
DATED this \_\_\_\_ day of September, 2008.

\_\_\_\_\_  
ALEX R. MUNSON  
Judge